

REMARKS

Claims 1, 2, 4, and 7-10 are currently pending, claims 3, 5-6, and 11-24 have been cancelled. Applicants reserve the right to pursue original and other claims in this and in other applications.

Applicant appreciates the Examiners' time attention with Applicant's representative during the in-person interview on November 1, 2007, where the claims and the prior art were addressed, but no final agreement could be reached.

Claim 1 stands rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action states that the

limitation "a plurality of game devices" in line 3 of the claim is unclear as to whether this limitation refers to the same plurality of game devices or a completely different plurality of game devices.

(Office Action, p. 2)

Applicants respectfully traverse this rejection. Claim 1 clearly defines in the first element "a plurality of game devices." There is nothing unclear about this limitation. Thus, the rejection of claim 1 should be withdrawn.

Claims 1-3 and 7-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over O'Callaghan (U.S. Pat. No. 5,820,463) ("O'Callaghan") in view of Weston (U.S. Pat. No. 6,515,992). This rejected is respectfully traversed.

Claim 1 recites, a method of data processing between a plurality of computer game devices connected through a communication network, comprising the steps of "measuring delay times between a plurality of game devices by measuring for each game devices a time between when a test message is transmitted to and received back from another game device; determining a longest delay time of said measured delay times; synchronizing delay times counted by each game

device; and during a progress of a computer game, processing at each game device a first game data received from another game device on a lapse of the longest delay time of said measured delay times from a time of transmission of the first game data from the another game device, and processing a second game data transmitted from each game device itself on the lapse of the longest delay time of said measured delay times from a time of transmission of the second game data from each game device itself, wherein said synchronizing step includes the steps of starting counting a time at each game device after a first time period is passed from a transmission of reset signal transmitted from one game device to the other game devices, transmitting from said one game device to the other games devices a count value, and stopping counting temporarily at each game device so that a difference of each game device's own count values and the received count value from the one device becomes a delay time with respect to the one device.”

O'Callaghan discloses “multiple player games implemented by computer are improved to permit playing without any delay penalty for stations remote from another station. Delay times are compensated using measurement of round trip delay times to each station and the stations participating in the game determine the proper master station based on shared information.” (O'Callaghan abstract). As noted in the description, a master station determines delay times between stations and delays transmission of a signal to another station based a determined delay time.

O'Callaghan fails to discloses or suggest “stopping counting temporarily at each game device so that a difference of each game device's own count values and the received count value from the one device becomes a delay time with respect to the one device.” (emphasis added) To the contrary, O'Callaghan simply discloses delaying transmission of a signal to another station by a master station.

Weston discloses:

A method of inputting one or more items of information to a data destination (21). The method comprises generating the item(s) of information at one or more data sources (25-28); and for each item of information transmitting the item of information to the data destination in a data packet; calculating a time stamp value in

accordance with the time delay between generating the item of information and transmitting the data packet; encoding the time stamp value in the data packet; decoding the data packet at the data destination to retrieve the time stamp value; and calculating the time delay associated with the data packet in accordance with the retrieved time stamp value.

Weston fails to disclose the deficiencies of O'Callaghan and fails to disclose "stopping counting temporarily at each game device so that a difference of each game device's own count values and the received count value from the one device becomes a delay time with respect to the one device." (emphasis added) To the contrary, Weston simply discloses individual handset devices tracking and time stamping events and a game controller processes signals received from the handset and determines the delay from handset. (See at least Weston, Col. 5, lines 8-29)

As such, the claimed invention is different from the combination of O'Callaghan and Weston. Thus, the rejection of claim 1 and its dependant claims over O'Callaghan and Weston should be withdrawn and the claims allowed.

Claim 7 recites:

A computer program product executed by each computer device that is one of a plurality of computer devices connected through a network to each other, comprising the steps of:

- measuring delay times of communication to other computer devices;
- acquiring the longest time of said delay times measured by the all devices;
- synchronizing the time that is counted to each of the times counted by the other devices; and
- processing each data transmitted from each of the other devices on the lapse of said longest time from the time of transmission of each data.

Weston and O'Callaghan fail to disclose a "computer program product executed by each computer device... measuring delay times of communication to other computer devices" and "acquiring the longest time of said delay times measured by the all devices" and "synchronizing the time that is counted to each of the times counted by the other devices" and "processing each data transmitted from each of the other devices on the lapse of said longest time from the time of transmission of each data." As indicated above, only O'Callaghan's master station and Weston's game controller perform any delay processing, as set out above. As such, the rejection of claim 7 should be withdrawn and the claim allowed over the combination of O'Callaghan and Weston.

Claims 4 and 10 stand rejected under 35 U.S.C. 103 (a) as being anticipated by O'Callaghan in view of Weston and James (U.S. Pat. No. 5,964,660)(“James”). This rejected is respectfully traversed.

Claim 4 depends from claim 1 and is allowable over O'Callaghan and Weston for at least the reasons noted above.

James discloses "a computer game that is played over a computer network and is capable of accommodating a large number of players. When the game is play on the Internet, players are able to input moves and be apprised of the state of the game using the basic input/output functions of their Web browser. Consequently, the game can be played with substantially no other game related software, plug-ins or add-ons." James also discloses "a game data base so as to compensate for the lack of game resources that a newer player has relative to older players that are likely to possess significantly greater game resources. Further, the virtual space of the game is highly expandable and updatable." James additionally discloses a game "that couples game playing and advertising via a game currency that an advertiser can provide to a player and which can be used by the player in playing the game. " (James abstract)

James fails to overcome the deficiencies of O'Callaghan and Weston, as James fails to disclose "stopping counting temporarily at each game device so that a difference of each game device's own count values and the received count value from the one device becomes a delay time

with respect to the one device." To the contrary As such, the rejection of claim 4 should be withdrawn and the claim allowed over the combination of O'Callaghan and Weston and James.

Claim 10 depends from claim 7 and is allowable over O'Callaghan and Weston for at least the reasons noted above.

James fails to overcome the deficiencies of O'Callaghan and Weston, as James fails to disclose a "computer program product executed by each computer device... measuring delay times of communication to other computer devices" and "acquiring the longest time of said delay times measured by the all devices" and "synchronizing the time that is counted to each of the times counted by the other devices" and "processing each data transmitted from each of the other devices on the lapse of said longest time from the time of transmission of each data." As indicated above, only O'Callaghan's master station and Weston's game controller perform any delay processing, as set out above. As such, the rejection of claim 10 should be withdrawn and the claim allowed over the combination of O'Callaghan, Weston, and James.

In view of the above, Applicants believe the pending application is in condition for allowance.

Dated: November 9, 2007

Respectfully submitted,

By 
Thomas J. D'Amico

Registration No.: 28,371
Michael A. Weinstein
Registration No.: 53,754
DICKSTEIN SHAPIRO LLP
1825 Eye Street, NW
Washington, DC 20006-5403
(202) 420-2200
Attorneys for Applicant